

Chapter 12: Land Acquisition Projects in the Everglades Region

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SUMMARY

During 1999-2000, the South Florida Water Management District's (District's) Real Estate Division completed hundreds of transactions for the Everglades-related land acquisition projects. **Table 12-1** represents acres that have been acquired for these projects from January 1, 1994 through April 30, 2000, and from May 1, 1999 through April 30, 2000. A summary of these projects and relevant transactions is included in this chapter.

Table 12-1. Everglades-related land acquisition projects.

Closed 1-1-94 through 4-30-2000	Acres	Closed 5-1-99 through 4-30-2000	Acres
Everglades Agricultural Area	51,210.06	Everglades Agricultural Area	-
Stormwater Treatment Areas	46,486.21	Stormwater Treatment Areas	986.92
Water Preserve Areas	9,855.38	Water Preserve Areas	1,740.94
Southern Glades (C-111)	9,239.57	Southern Glades (C-111)	107.16
Model Lands	6,719.41	Model Lands	1,208.01
8.5 Square Mile Area	495.95	8.5 Square Mile Area	116.12
Water Conservation Areas	3,014.03	Water Conservation Areas	-
Total Land Acquisition	127,020.61	Total Land Acquisition	4,159.15

EVERGLADES AGRICULTURAL AREA

Lands for acquisition in the Everglades Agricultural Area (EAA) (**Figure 12-1**) lie south of Lake Okeechobee and west of the Water Conservation Areas (WCAs). These lands consist of 51,210 acres outside the Stormwater Treatment Areas (STAs). The EAA lands will serve as a water treatment and storage area to improve the environmental water supply, and enhance thousands of acres of wetlands that once comprised the greater Everglades watershed.

On March 26, 1999, the District closed on the acquisition of approximately 50,000 acres of land located within the southern portion of the EAA in Palm Beach and Hendry counties. This acquisition was the culmination of many years of negotiations that intensified in the final 18 months. The complex transaction was structured in two phases.

The first phase was the purchase agreement between Talisman Sugar Co., the U.S. Department of the Interior (Interior) and The Nature Conservancy (TNC) funded by a cooperative agreement between the Interior, TNC and the District. Under Phase 1, Talisman committed to selling its entire holdings in the EAA, totaling approximately 53,500 acres. The second phase was an exchange agreement between the District, Interior, TNC, Talisman and Sugar Interests, including U.S. Sugar Co., Florida Crystals and the Florida Sugar Cane Growers Cooperative. Through this agreement, the District would acquire approximately 21,000 acres directly from Talisman and approximately 29,000 acres from the Sugar Interests in exchange for Talisman conveying to the Sugar Interests the balance of the Talisman land. The Sugar Interests reserved use of the Talisman and Sugar Interest lands for sugar cane farming prior to District project implementation. The Interior contributed funding for approximately \$108 million, and the District contributed approximately \$38.5 million. The lands acquired by the District from Talisman are anticipated to be used for reservoirs as part of the Comprehensive Everglades Restoration Plan (CERP), while the lands acquired by the District from the Sugar Interests are to be used for STAs as part of the Everglades Construction Project.

STORMWATER TREATMENT AREAS

The STAs (**Figure 12-1**), which are being constructed in accordance with the 1994 Everglades Forever Act, consist of 47,630 acres of wetland treatment marshes that will naturally remove nutrients from stormwater runoff flowing from the EAA. The District is designing, operating and managing the STAs to remove harmful nutrients contained in stormwater runoff before this water enters the Everglades Protection Area (EPA). For additional information on STAs in the Everglades restoration, refer to Chapters 1, 4 and 6 of this Report.

One of the major obstacles during negotiations for land acquisitions relating to the STAs has been the fact that the landowners in the farming area did not want to sell for cash but preferred comparable land in exchange for the lands needed by the project. Due to the time constraints of the project and the need for the land, negotiations ended with the filing of eminent domain against several of the large landowners. The acquisition of the Talisman land provided much of the needed lands for exchange, which was acceptable to the landowners in settlement of the lawsuits. In this year, 986.92 acres were acquired for the STAs, of which 968.60 acres were from Camaro Farms, Inc.

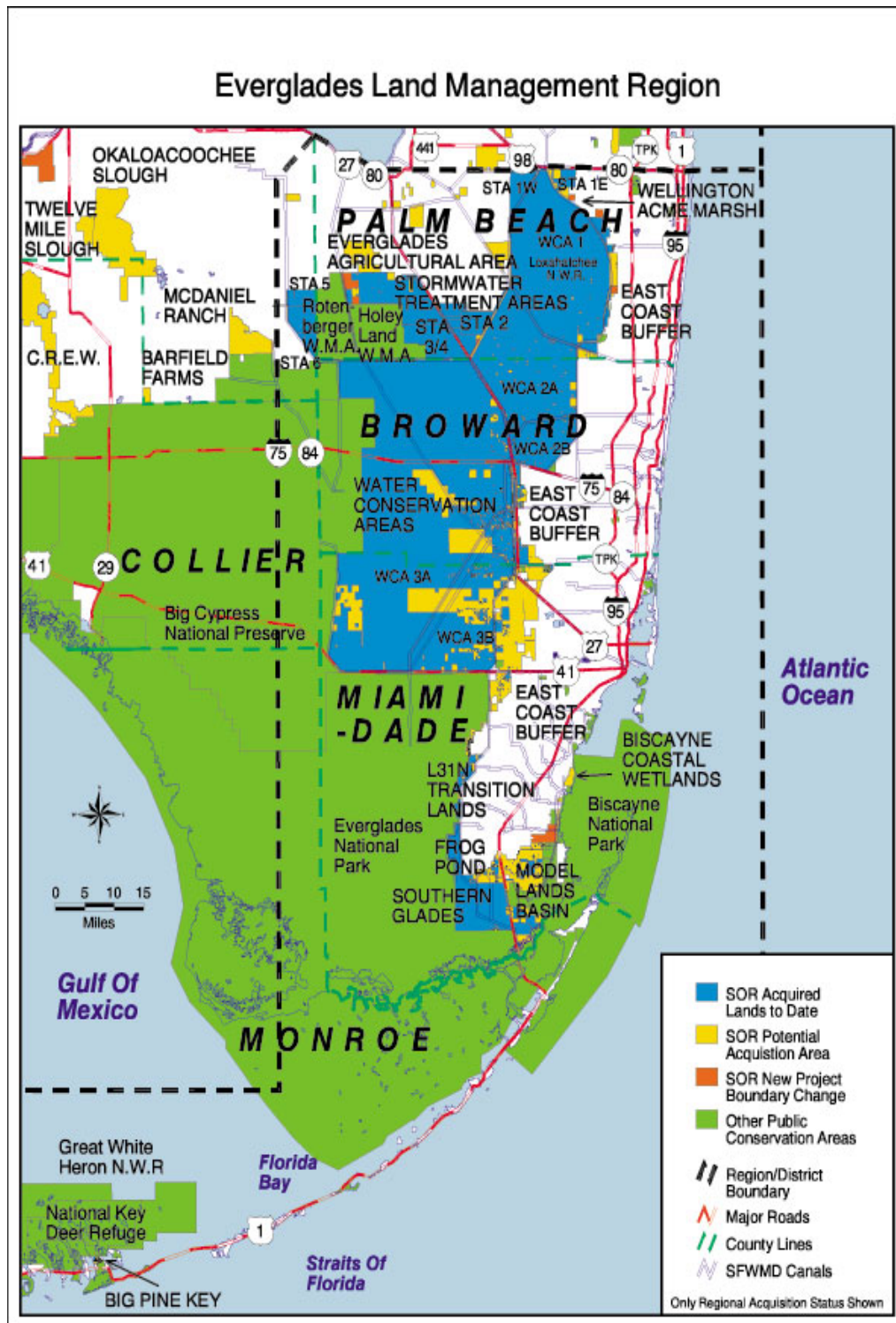


Figure 12-1. A map of the Everglades Region that highlights the areas relevant to land acquisition and management.

WATER PRESERVE AREAS

The Water Preserve Areas (WPAs) (**Figure 12-1**) consist of approximately 72,000 acres that incorporate lands within several previously designated Save Our Rivers projects: the Dade-Broward Levee, Everglades Buffer Strip North, Strazzula tract, and over 3,000 acres in WCA-2. The conceptual plan is to acquire these parcels for marshes, reservoirs and groundwater recharge areas in Palm Beach, Broward and Miami-Dade counties that abut the East Coast Protective Levee and that separate the WCAs from developed lands to the east. The lands acquired will serve a number of objectives, including protecting wetlands outside the remaining Everglades; acting as a buffer between natural and urban areas; reducing the undesired seepage from the remaining Everglades; and collecting and storing a portion of the excess water discharged to tide. During the period from May 1, 1999 to April 30, 2000, 1,740.94 acres were acquired for the WPAs.

SOUTHERN GLADES (C-111 PROJECT)

Canal 111, referred to as C-111, is a component of the comprehensive Central and Southern Florida (C&SF) Flood Control Project. Authorized by the Flood Control Act of 1948 and modified by subsequent acts, the Project was designed to improve flood control and drainage, and to serve other purposes for both Central and Southern Florida. The C-111 Project, located in southeastern Miami-Dade County adjacent to the eastern boundary of Everglades National Park (ENP) (**Figure 12-1**), was authorized as an addition to the C&SF Project by the Flood Control Act of 1962. The C-111 was part of the original flood control system authorized in 1962 for south Dade County.

In 1968, Congress authorized the construction of the ENP-South Dade Conveyance Canals to provide water supply to Dade County and the ENP. The project included enlarging existing canals and constructing new structures and pump stations.

The C-111 Project is comprised of 40,000 acres, more or less, in the Frog Pond, L-31 North and the Southern Glades Projects. The 1994 Southern Glades (C-111N) addition, however, is not included in this project. The acquisition of lands in the Frog Pond and L-31N projects will increase the hydroperiod of the marshes in eastern ENP and improve freshwater flow to Taylor Slough and Florida Bay. The lands acquired in the Southern Glades Project will support interagency plans to restore the ecological function of the ENP and Florida Bay, and will function as a recharge area for the Biscayne Aquifer.

More than half of the lands needed for the C-111 Project were acquired when the District took title to all eight sections of the Frog Pond in February 1995. Of the approximately 5,250 acres in the L-31N Project, the District's Governing Board has approved 3,950.27 acres for acquisition. The majority of the remaining lands is used for agricultural purposes, and landowners are reluctant to sell their property to the District. Within the Southern Glades Project, approximately 500 acres have not been acquired.

MODEL LANDS

The Model Lands (**Figure 12-1**) acreage is located in Miami-Dade County, south of Homestead and east of U.S.1, except for the C-111N addition, which is west of U.S.1. This area functions as a recharge area for maintenance of the saltwater barrier line, preventing further saltwater intrusion into the south Miami-Dade region. The Model

Lands Basin and Southern Glades Projects consist of approximately 46,210 acres of land lying east of ENP, south of U.S. 27, north of Northeast Florida Bay and west of Biscayne Bay. In 1999, the Governing Board approved the addition of 3,210 acres to this project. The objective is to acquire fee title or other interests to lands to maintain a barrier for saltwater intrusion into the Biscayne Aquifer, improve sheetflow conditions to Everglades National Park, Northeast Florida Bay and Biscayne Bay Aquatic Preserve, and to control exotic vegetation. A major obstacle to the acquisition program has been with the sellers who have owned the properties for many years with the expectation that the properties would appreciate substantially more than the appraised values have indicated. In this one-year period 1,208.01 acres were acquired. The District and Miami-Dade County formed a cooperative effort to acquire the property within Model Lands. In addition to the District's acquisitions, Miami-Dade County has acquired 5,740 acres.

8.5 SQUARE MILE AREA PROJECT

The 8.5 Square Mile Area (8.5 SMA), located in the East Everglades (**Figure 12-1**), is in a low-lying area west of the L-31N flood protection levee in Miami-Dade County. For almost two decades, it has been an issue of public debate and concern.

In 1983, Congress passed Public Law 98-181, authorizing an experimental program for modified water deliveries to ENP. Since the passage of Public Law 98-181, the U.S. Army Corps of Engineers (Corps), the District and ENP have been examining options for restoring a more natural flow distribution in Northeast Shark River Slough. In 1989, Congress enacted the Everglades National Park Expansion Protection Act. The law expanded ENP, placing its boundary immediately to the west of and adjacent to the 8.5 SMA. Efforts to restore flows in this area have been complicated by the fact that agricultural and residential development has occurred in the 8.5 SMA.

On June 13, 1996, the District's Governing Board approved adding a portion of the 8.5 SMA to the District's Save Our Rivers (SOR) Acquisition Plan, known as Phase I of the 8.5 SMA project. These lands, considered part of the East Coast Buffer SOR Project, consist of approximately 1,065 acres. Lands are being acquired on a strictly voluntary, willing seller basis.

On August 12, 1999, the District's Governing Board directed staff to postpone consideration of adding a Phase II of the 8.5 SMA to the District's current SOR Acquisition Plan, until the Governing Board makes a decision regarding the Locally Preferred Option for the Modified Water Deliveries Project in the 8.5 SMA.

WATER CONSERVATION AREAS

The WCAs (**Figure 12-1**) are part of the original Central and Southern Florida Flood Control Project, and are owned for the most part by the State of Florida and the District. The large areas of remnant Everglades located in Palm Beach, Broward and Miami-Dade counties surrounded by levees and canals were created to provide water supply and flood control to South Florida. For WCA tracts under 320 acres in size, the District's Governing Board has established a price of \$100 per acre plus \$10 per acre for full oil, gas and mineral rights due to the fact that flowage easements and other restrictions exist on the majority of these parcels. During the past year, the District did not acquire any of the remaining privately-held lands within the Everglades. However, there are approximately 2,210 acres under negotiations with willing sellers.